

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Theodore T. Whittaker, Jr.,

Plaintiff(s),

vs.

Hilltop Records,

Defendant(s).

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Case Number: 1:14cv679

Chief Judge Susan J. Dlott

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Stephanie K. Bowman filed on September 10, 2014 (Doc. 4), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired September 29, 2014, hereby ADOPTS said Report and Recommendation.

Accordingly, plaintiff's complaint is **DISMISSED** pursuant to 28 U.S.C. §1915(e)(2)(B). It is further **ORDERED** that the Court certify pursuant to 28 U.S.C. §1915(a)(3) that an appeal of any Order adopting this Report and Recommendation will not be taken in good faith, therefore denying plaintiff leave to appeal *in forma pauperis*. See *McGore v. Wrigglesworth*, 114 F.3d 601 (6th Cir. 1997).

IT IS SO ORDERED.

s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court